

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

2006 NOV 28 P 4:03

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U.S. DISTRICT COURT
NORTHERN DIVISION
MOBILE, ALABAMA

C&J Associates Pest Control,

CURTIS DUNCAN

Plaintiff,

VS.

CV-06-884-MEF

BOB RILEY
DRAYTON NABERS
JAMES MAIN
TROY KING
KATHY SAWYER
COURTNEY TARVER
JUNE LYNN
JUDY COBB
RAY BRESSLER
JOHN BLOCH
JOE DEBROW
BRUCE ALVERSON
LINDA SHELTON
KNOX PEST CONTROL
et al.
DEFENDANTS

PLAINTIFF MOTION FOR THE MAGISTRATE JUDGE TO ISSUE AN ORDER TO FOR ALL
THE DEFENDANTS ATTORNEYS TO MAIL PLAINTIFF A COPY OF ALL THEIR FILINGS WITH
THE COURT A TIMELY MANNER AND ISSUE A DEFAULT JUDGMENT AGAINST
DEFENDANTS BRUCE ALVERSON, KATHY SAWYER, COURTNEY TARVER, JUNE LYNN,
JUDY COBB, RAY BRESSLER

Comes now Plaintiff Curtis Duncan, Sole Proprietor/Owner of C & J Associates Pest Control
requests that your Honor issue an order for all the Defendants Attorneys to mail Plaintiff a copy of all their
filings with the Court in a timely manner. After Plaintiff did not receive Defendants filing due to be filed

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in Court by November 17, 2006, by mail November 21, 2006. Plaintiff went to the Court and discovered there were several documents filed by the Defendants and the Court that the Plaintiff did not receive by mail. (1) 10-31-06 Doc. 18, 19 Motion to Dismiss and Brief/Memo. Filed for Linda Shelton, Knox Pest Control. (2) 11-2-06 Doc. 22 Order by Judge for Plaintiff to File a Response to Motion to Dismiss by 11-15-06 and Defendants may file a Brief by 11-22-06. (3) 11-2-06 Doc. 24 Motion to Appear Pro Hoc Vice Filed by William Tucker, Esq. (4) 11-6-06 Doc. 26 Order referring case to Magistrate Judge for Recommendation. (5) 11-14-06 Doc. 28 Order granting Extension of Time to Respond to Complaint for Bruce Alverson. Plaintiff request that your Honor issue an Order for Defendants Attorneys Robin Laurie, Griffin Knight and William Tucker to mail Plaintiff a copy of Doc. 18, 19, 24 and Order the Court Clerk to mail Plaintiff Doc. 22, 26, 28.

Plaintiff also noticed at the Court House on November 21, 2006 that Defendants Bob Riley, Drayton Nabers, James Main, John Bloch and Joe Debrow had filed their response to Complaint by the due date of November 17, 2006. Plaintiff did not receive their filing by mail until November 22, 2006; their letters were not postmarked until November 20, 2006. Defendant Troy King response was filed on November 20, 2006 two days in advance of his due date. Defendants Kathy Sawyer, Courtney Tarver, June Lynn, Judy Cobb and Ray Bressler response was filed on November 20, 2006 three day after the due date. Defendant Bruce Alverson has failed to file any response to the due date of November 17, 2006. Plaintiff request that your Honor issued a Judgment of Default against Defendant Sawyer, Tarver, Lynn, Cobb, Bressler and Alverson for not filing their response to the Complaint in the prescribed time of your Order.

Wherefore, Plaintiff request your Honor Issue an Order for All Filings not received by Plaintiff and all future filing be mailed to Plaintiff in a timely manner. And issue a Default Judgment against Defendants Sawyer, Tarver, Lynn, Cobb, Bressler and Alverson for filing their response to your Order in time.

Respectfully submitted,

Curtis Duncan 11-28-06

Curtis Duncan
Plaintiff, Pro Se
C&J Associates, Pest Control
P.O. Box 8186
Montgomery, AL 36110
Phone: 334-~~882~~-467-6432

CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2006, I have served a true correct copy of the above and foregoing by first class, United States mail, properly address and postage prepaid, or hand delivered on defendants as follow:

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Curtis Duncan 11-28-06

Curtis Duncan
Plaintiff, Pro Se